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IN THE DISTRICT COURT OF THE UNITED STATES FOR THE MIDDLE DISTRICT OF ALABAMA
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NORTHERN DIVISION

U.S. DISTRICT COURT
MIDDLE DISTRICT ALA
IN RE: EMPLOYMENT DISCRIMINATION
LITIGATION AGAINST THE STATE OF
ALABAMA, et al.:

EUGENE CRUM, JR., et al.,

Plaintiffs,

v.

STATE OF ALABAMA, et al.,

Defendants.

VIVIAN HANDY,

Plaintiff-Intervenor,

v.

STATE OF ALABAMA, GOVERNOR FORBES
JAMES, STATE OF ALABAMA PERSONNEL
BOARD, STATE OF ALABAMA PERSONNEL
DEPARTMENT, DEPARTMENT OF
REHABILITATION SERVICES,
AND DR. HALYCON VANCE BALLARD,

Defendants.

JUN 27 1996
THOMAS C. GAVEN, CLERK

CIVIL ACTION NO.:
CV-94-T-356-N

2:07CV376-mht

MOTION TO INTERVENE

COMES NOW the applicant, Vivian Handy, pursuant to Rule 24(b) of the Federal Rules of Civil Procedure, and applies to this Court for permission to intervene as a party plaintiff in

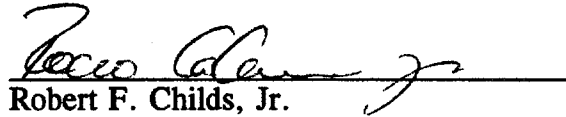
the above-entitled cause. As grounds for this Motion, applicant would show unto the Court as follows:

1. This Motion is timely based upon the following factors:
 - (a) Length of Time Applicant Has Known Of her Interest. The plaintiff-intervenor has been waiting for the issuance of her right-to-sue letter from the EEOC and Justice Department before seeking intervention into this case. Plaintiff-intervenor has filed this motion within 90 days of the issuance of her right-to-sue letter. Based on these facts, it should be held that there has been no undue delay on the part of the applicant in seeking intervention into this lawsuit.
 - (b) Prejudice to Parties from Failure to Move Sooner. The parties will not be unduly prejudiced by the intervention sought herein.
 - (c) Prejudice to Applicant if Intervention Denied. Applicant will be unduly prejudiced by the necessity of maintaining an individual, separate lawsuit involving complex issues and costly experts, which will be duplicative of the present case.
 - (d) Unusual Circumstances. The circumstances of the case militate in favor of intervention as it will prevent duplicative and expensive discovery and the retrial of identical issues.
2. A copy of this Motion is being served upon all parties through their respective counsel.
3. The applicant's claims and the claims of the named plaintiffs, plaintiff-intervenor and plaintiff class in the case at bar involve common questions of law and fact.
4. This Motion is accompanied by applicant's complaint-in-intervention, which is attached hereto.
5. Intervention will not unduly delay or prejudice the adjudication of the rights of the original parties.

WHEREFORE, Premises Considered, applicant respectfully moves this Court to permit

her intervention into the instant legal action as a party plaintiff.

Respectfully submitted,



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and Plaintiff Class

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served, either by hand delivery or by placing same in the United States Mail, properly addressed and first class postage prepaid, on this the 26th day of June, 1996 on the following:

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